

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1403 be amended to read as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new  
2       paragraph and insert:  
3       "SECTION 1. IC 16-42-19-5 IS AMENDED TO READ AS  
4       FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 5. As used in this  
5       chapter, "practitioner" means any of the following:  
6       (1) A licensed physician.  
7       (2) A veterinarian licensed to practice veterinary medicine in  
8       Indiana.  
9       (3) A dentist licensed to practice dentistry in Indiana.  
10      (4) A podiatrist licensed to practice podiatric medicine in Indiana.  
11      (5) An optometrist who is:  
12          (A) licensed to practice optometry in Indiana; and  
13          (B) certified under IC 25-26-15.  
14      (6) An advanced practice nurse who meets the requirements of  
15      IC 25-23-1-19.5.  
16      **(7) A physician assistant certified under IC 25-27.5 who is**  
17      **delegated prescriptive authority under IC 25-27.5-5-6."**  
18      Page 4, between lines 9 and 10, begin a new paragraph and insert:  
19      "SECTION 3. IC 25-22.5-1-1.1 IS AMENDED TO READ AS  
20      FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1.1. As used in this  
21      article:  
22          (a) "Practice of medicine or osteopathic medicine" means any one  
23          (1) or a combination of the following:  
24              (1) Holding oneself out to the public as being engaged in:

- 1 (A) the diagnosis, treatment, correction, or prevention of any  
 2 disease, ailment, defect, injury, infirmity, deformity, pain, or  
 3 other condition of human beings;  
 4 (B) the suggestion, recommendation, ~~or~~ prescription, or  
 5 administration of any form of treatment, without limitation;  
 6 (C) the performing of any kind of surgical operation upon a  
 7 human being, including tattooing, except for tattooing (as  
 8 defined in IC 35-42-2-7), in which human tissue is cut, burned,  
 9 or vaporized by the use of any mechanical means, laser, or  
 10 ionizing radiation, or the penetration of the skin or body orifice  
 11 by any means, for the intended palliation, relief, or cure; or  
 12 (D) the prevention of any physical, mental, or functional  
 13 ailment or defect of any person.
- 14 (2) The maintenance of an office or a place of business for the  
 15 reception, examination, or treatment of persons suffering from  
 16 disease, ailment, defect, injury, infirmity, deformity, pain, or other  
 17 conditions of body or mind.
- 18 (3) Attaching the designation "doctor of medicine", "M.D.",  
 19 "doctor of osteopathy", "D.O.", "osteopathic medical physician",  
 20 "physician", "surgeon", or "physician and surgeon", either alone  
 21 or in connection with other words, or any other words or  
 22 abbreviations to a name, indicating or inducing others to believe  
 23 that the person is engaged in the practice of medicine or  
 24 osteopathic medicine (as defined in this section).
- 25 (4) Providing diagnostic or treatment services to a person in  
 26 Indiana when the diagnostic or treatment services:  
 27 (A) are transmitted through electronic communications; and  
 28 (B) are on a regular, routine, and non-episodic basis or under  
 29 an oral or written agreement to regularly provide medical  
 30 services.
- 31 In addition to the exceptions described in section 2 of this chapter,  
 32 a nonresident physician who is located outside Indiana does not  
 33 practice medicine or osteopathy in Indiana by providing a second  
 34 opinion to a licensee or diagnostic or treatment services to a  
 35 patient in Indiana following medical care originally provided to  
 36 the patient while outside Indiana.
- 37 (b) "Board" refers to the medical licensing board of Indiana.
- 38 (c) "Diagnose or diagnosis" means to examine a patient, parts of a  
 39 patient's body, substances taken or removed from a patient's body, or  
 40 materials produced by a patient's body to determine the source or  
 41 nature of a disease or other physical or mental condition, or to hold  
 42 oneself out or represent that a person is a physician and is so examining  
 43 a patient. It is not necessary that the examination be made in the  
 44 presence of the patient; it may be made on information supplied either  
 45 directly or indirectly by the patient.
- 46 (d) "Drug or medicine" means any medicine, compound, or

chemical or biological preparation intended for internal or external use of humans, and all substances intended to be used for the diagnosis, cure, mitigation, or prevention of diseases or abnormalities of humans, which are recognized in the latest editions published of the United States Pharmacopoeia or National Formulary, or otherwise established as a drug or medicine.

(e) "Licensee" means any individual holding a valid unlimited license issued by the board under this article.

(f) "Prescribe or prescription" means to direct, order, or designate the use of or manner of using a drug, medicine, or treatment, by spoken or written words or other means.

(g) "Physician" means any person who holds the degree of doctor of medicine or doctor of osteopathy or its equivalent and who holds a valid unlimited license to practice medicine or osteopathic medicine in Indiana.

(h) "Medical school" means a nationally accredited college of medicine or of osteopathic medicine approved by the board.

(i) ~~"Physician's"~~ **"Physician assistant"** means an individual who:

(1) ~~is an employee of~~ **supervised by** a physician;

(2) ~~is a graduate of a physician's assistant training program approved by the board;~~

**(2) graduated from a physician assistant or surgeon assistant program accredited by an accrediting agency described in IC 25-27.5-2-4.5;**

(3) ~~has successfully completed the national examination administered by the national commission on the certification of physician's assistants;~~ **passed the certifying examination administered by the National Commission on Certification of Physician Assistants (NCCPA) and maintains certification;** and

(4) ~~has registered with the board;~~ **been certified by the physician assistant committee under IC 25-27.5-4.**

(j) "Bureau" refers to the health professions bureau under IC 25-1-5.

SECTION 4. IC 25-22.5-1-2, AS AMENDED BY P.L.255-2001, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. (a) This article, as it relates to the unlawful or unauthorized practice of medicine or osteopathic medicine, does not apply to any of the following:

(1) A student in training in a medical school approved by the board, or while performing duties as an intern or a resident in a hospital under the supervision of the hospital's staff or in a program approved by the medical school.

(2) A person who renders service in case of emergency where no fee or other consideration is contemplated, charged, or received.

(3) A paramedic (as defined in IC 16-18-2-266), an advanced emergency medical technician (as defined in IC 16-18-2-6), an

1 emergency medical technician (as defined in IC 16-18-2-112), or  
2 a person with equivalent certification from another state who  
3 renders advanced life support (as defined in IC 16-18-2-7) or  
4 basic life support (as defined in IC 16-18-2-33.5):

5 (A) during a disaster emergency declared by the governor  
6 under IC 10-4-1-7 in response to an act that the governor in  
7 good faith believes to be an act of terrorism (as defined in  
8 IC 35-41-1-26.5); and

9 (B) in accordance with the rules adopted by the Indiana  
10 emergency medical services commission or the disaster  
11 emergency declaration of the governor.

12 (4) Commissioned medical officers or medical service officers of  
13 the armed forces of the United States, the United States Public  
14 Health Service, and medical officers of the United States  
15 Department of Veterans Affairs in the discharge of their official  
16 duties in Indiana.

17 (5) An individual who is not a licensee who resides in another  
18 state or country and is authorized to practice medicine or  
19 osteopathic medicine there, who is called in for consultation by an  
20 individual licensed to practice medicine or osteopathic medicine  
21 in Indiana.

22 (6) A person administering a domestic or family remedy to a  
23 member of the person's family.

24 (7) A member of a church practicing the religious tenets of the  
25 church if the member does not make a medical diagnosis,  
26 prescribe or administer drugs or medicines, perform surgical or  
27 physical operations, or assume the title of or profess to be a  
28 physician.

29 (8) A school corporation and a school employee who acts under  
30 IC 34-30-14 (or IC 34-4-16.5-3.5 before its repeal).

31 (9) A chiropractor practicing the chiropractor's profession under  
32 IC 25-10 or to an employee of a chiropractor acting under the  
33 direction and supervision of the chiropractor under IC 25-10-1-13.

34 (10) A dental hygienist practicing the dental hygienist's profession  
35 under IC 25-13.

36 (11) A dentist practicing the dentist's profession under IC 25-14.

37 (12) A hearing aid dealer practicing the hearing aid dealer's  
38 profession under IC 25-20.

39 (13) A nurse practicing the nurse's profession under IC 25-23.  
40 However, a registered nurse may administer anesthesia if the  
41 registered nurse acts under the direction of and in the immediate  
42 presence of a physician and holds a certificate of completion of a  
43 course in anesthesia approved by the American Association of  
44 Nurse Anesthetists or a course approved by the board.

45 (14) An optometrist practicing the optometrist's profession under  
46 IC 25-24.

- 1 (15) A pharmacist practicing the pharmacist's profession under  
2 IC 25-26.
- 3 (16) A physical therapist practicing the physical therapist's  
4 profession under IC 25-27.
- 5 (17) A podiatrist practicing the podiatrist's profession under  
6 IC 25-29.
- 7 (18) A psychologist practicing the psychologist's profession under  
8 IC 25-33.
- 9 (19) A speech-language pathologist or audiologist practicing the  
10 pathologist's or audiologist's profession under IC 25-35.6.
- 11 (20) An employee of a physician or group of physicians who  
12 performs an act, a duty, or a function that is customarily within  
13 the specific area of practice of the employing physician or group  
14 of physicians, if the act, duty, or function is performed under the  
15 direction and supervision of the employing physician or a  
16 physician of the employing group within whose area of practice  
17 the act, duty, or function falls. An employee may not make a  
18 diagnosis or prescribe a treatment and must report the results of  
19 an examination of a patient conducted by the employee to the  
20 employing physician or the physician of the employing group  
21 under whose supervision the employee is working. An employee  
22 may not administer medication without the specific order of the  
23 employing physician or a physician of the employing group.  
24 Unless an employee is licensed or registered to independently  
25 practice in a profession described in subdivisions (9) through  
26 (18), nothing in this subsection grants the employee independent  
27 practitioner status or the authority to perform patient services in  
28 an independent practice in a profession.
- 29 (21) A hospital licensed under IC 16-21 or IC 12-25.
- 30 (22) A health care organization whose members, shareholders, or  
31 partners are individuals, partnerships, corporations, facilities, or  
32 institutions licensed or legally authorized by this state to provide  
33 health care or professional services as:
  - 34 (A) a physician;
  - 35 (B) a psychiatric hospital;
  - 36 (C) a hospital;
  - 37 (D) a health maintenance organization or limited service  
38 health maintenance organization;
  - 39 (E) a health facility;
  - 40 (F) a dentist;
  - 41 (G) a registered or licensed practical nurse;
  - 42 (H) a midwife;
  - 43 (I) an optometrist;
  - 44 (J) a podiatrist;
  - 45 (K) a chiropractor;
  - 46 (L) a physical therapist; or

- 1 (M) a psychologist.
- 2 (23) A physician assistant practicing the physician ~~assistant's~~  
 3 **assistant** profession under IC 25-27.5.
- 4 (24) A physician providing medical treatment under  
 5 IC 25-22.5-1-2.1.
- 6 (25) An attendant who provides care services as defined in  
 7 IC 16-27-1-0.5.
- 8 (26) A personal services attendant providing authorized attendant  
 9 care services under IC 12-10-17.
- 10 (b) A person described in subsection (a)(9) through (a)(18) is not  
 11 excluded from the application of this article if:
- 12 (1) the person performs an act that an Indiana statute does not  
 13 authorize the person to perform; and
- 14 (2) the act qualifies in whole or in part as the practice of medicine  
 15 or osteopathic medicine.
- 16 (c) An employment or other contractual relationship between an  
 17 entity described in subsection (a)(21) through (a)(22) and a licensed  
 18 physician does not constitute the unlawful practice of medicine under  
 19 this article if the entity does not direct or control independent medical  
 20 acts, decisions, or judgment of the licensed physician. However, if the  
 21 direction or control is done by the entity under IC 34-30-15 (or  
 22 IC 34-4-12.6 before its repeal), the entity is excluded from the  
 23 application of this article as it relates to the unlawful practice of  
 24 medicine or osteopathic medicine.
- 25 (d) This subsection does not apply to a prescription or drug order for  
 26 a legend drug that is filled or refilled in a pharmacy owned or operated  
 27 by a hospital licensed under IC 16-21. A physician licensed in Indiana  
 28 who permits or authorizes a person to fill or refill a prescription or drug  
 29 order for a legend drug except as authorized in IC 16-42-19-11 through  
 30 IC 16-42-19-19 is subject to disciplinary action under IC 25-1-9. A  
 31 person who violates this subsection commits the unlawful practice of  
 32 medicine under this chapter.
- 33 (e) A person described in subsection (a)(8) shall not be authorized  
 34 to dispense contraceptives or birth control devices."
- 35 Page 8, after line 5, begin a new paragraph and insert:
- 36 "SECTION 9. IC 25-27.5-1-1 IS ADDED TO THE INDIANA  
 37 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
 38 [EFFECTIVE JULY 1, 2002]: **Sec. 1. This article grants a**  
 39 **supervising physician or physician designee the authority to**  
 40 **delegate, as the supervising physician or physician designee**  
 41 **determines is appropriate, those tasks or services the supervising**  
 42 **physician or physician designee typically performs.**
- 43 SECTION 10. IC 25-27.5-1-2 IS ADDED TO THE INDIANA  
 44 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
 45 [EFFECTIVE JULY 1, 2002]: **Sec. 2. This article does not grant the**  
 46 **authority to a physician assistant to function independently of a**

1 physician's supervision.

2 SECTION 11. IC 25-27.5-2-1.5 IS ADDED TO THE INDIANA  
3 CODE AS A NEW SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2002]: **Sec. 1.5. "Administer a drug" means**  
5 **the direct application of a drug, whether by injection, inhalation,**  
6 **ingestion, or any other means, to the body of a patient.**

7 SECTION 12. IC 25-27.5-2-5.5 IS ADDED TO THE INDIANA  
8 CODE AS A NEW SECTION TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2002]: **Sec. 5.5. "Deep sedation" means a**  
10 **controlled state of depressed consciousness that is produced by a**  
11 **pharmacologic method and that is accompanied by partial loss of**  
12 **protective reflexes, including the inability to respond purposefully**  
13 **to a verbal command.**

14 SECTION 13. IC 25-27.5-2-7.3 IS ADDED TO THE INDIANA  
15 CODE AS A NEW SECTION TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2002]: **Sec. 7.3. "Dispense" means issuing**  
17 **medical devices or one (1) or more doses of a drug in a suitable**  
18 **container with appropriate labeling for subsequent administration**  
19 **to or use by a patient.**

20 SECTION 14. IC 25-27.5-2-7.5 IS ADDED TO THE INDIANA  
21 CODE AS A NEW SECTION TO READ AS FOLLOWS  
22 [EFFECTIVE JULY 1, 2002]: **Sec. 7.5. "General anesthesia" means**  
23 **a controlled state of unconsciousness that is produced by a**  
24 **pharmacologic method and that is accompanied by a partial or**  
25 **complete loss of protective reflexes, including the inability to**  
26 **independently maintain an airway and respond purposefully to**  
27 **physical stimulation or verbal command.**

28 SECTION 15. IC 25-27.5-2-7.8 IS ADDED TO THE INDIANA  
29 CODE AS A NEW SECTION TO READ AS FOLLOWS  
30 [EFFECTIVE JULY 1, 2002]: **Sec. 7.8. "Light conscious sedation"**  
31 **means a minimally depressed level of consciousness produced by**  
32 **a pharmacologic method and under which an individual retains the**  
33 **ability to independently and continuously maintain an airway and**  
34 **respond appropriately to physical stimulation and verbal**  
35 **command.**

36 SECTION 16. IC 25-27.5-2-11 IS AMENDED TO READ AS  
37 FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 11. "Physician**  
38 **designee" means a physician who works or is trained in the same**  
39 **practice area as the practice area of the supervising physician, to**  
40 **whom responsibility for the supervision of a physician assistant is**  
41 **temporarily designated when the supervising physician is unavailable.**

42 SECTION 17. IC 25-27.5-2-12.5 IS ADDED TO THE INDIANA  
43 CODE AS A NEW SECTION TO READ AS FOLLOWS  
44 [EFFECTIVE JULY 1, 2002]: **Sec. 12.5. (a) "Regional block**  
45 **anesthesia" means spinal anesthesia, epidural anesthesia, major**  
46 **peripheral nerve blocks, or intravenous extremity blocks.**

1       **(b) The term does not include local infiltration anesthetics or**  
 2       **digital blocks.**

3       SECTION 18. IC 25-27.5-3-5 IS AMENDED TO READ AS  
 4       FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 5. **(a) The committee**  
 5       **shall have regular meetings called upon the request of the**  
 6       **president or by a majority of the members appointed to the**  
 7       **committee for the transaction of business as may come properly**  
 8       **before the committee under this article. At the first committee**  
 9       **meeting of each calendar year, the committee shall elect a**  
 10       **president and any other officer considered necessary by the**  
 11       **committee by an affirmative vote of a majority of the committee.**

12       **(b) Three (3) members of the committee constitute a quorum. A**  
 13       **quorum is required for the committee to take action on any**  
 14       **business.**

15       **(c) The committee shall do the following:**

16       (1) Consider the qualifications of individuals who apply for  
 17       ~~certificates~~ **an initial certificate** under this article.

18       (2) Provide for examinations required under this article.

19       **(3) Consider the setting in which the physician assistant will**  
 20       **be working under physician supervision.**

21       **(4) Approve or reject certification applications.**

22       **(5) Approve or reject renewal applications.**

23       **(6) Approve or reject applications for a change or addition of**  
 24       **a supervising physician.**

25       (7) Certify qualified individuals.

26       ~~(4)~~ **(8) Propose rules to the board concerning the competent**  
 27       **practice of physician assistants and the administration of this**  
 28       **article.**

29       ~~(5)~~ **(9) Recommend to the board the amounts of fees required**  
 30       **under this article.**

31       SECTION 19. IC 25-27.5-4-3, AS AMENDED BY P.L.32-2000,  
 32       SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33       JULY 1, 2002]: Sec. 3. **(a) If the committee issues a probationary**  
 34       **certificate under section 2 of this chapter, the committee may require**  
 35       **the individual who holds the certificate to meet at least one (1) of the**  
 36       **following conditions:**

37       (1) Report regularly to the committee upon a matter that is the  
 38       basis for the probation.

39       (2) Limit practice to areas prescribed by the committee.

40       (3) Continue or renew professional education.

41       (4) Engage in community restitution or service without  
 42       compensation for a number of hours specified by the committee.

43       **(5) Submit to the care, counseling, or treatment by a physician**  
 44       **designated by the committee for a matter that is the basis for**  
 45       **the probation.**

46       (b) The committee shall remove a limitation placed on a



1 probationary certificate if after a hearing the committee finds that the  
2 deficiency that caused the limitation has been remedied.

3 SECTION 20. IC 25-27.5-4-4 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 4. (a) The committee  
5 may grant temporary certification to an applicant who:

6 (1) meets the qualifications for certification under section 1 of this  
7 chapter except:

8 (A) for the taking of the **next scheduled** NCCPA examination;  
9 or

10 (B) if the applicant has taken the NCCPA examination and is  
11 awaiting the results; or

12 (2) meets the qualifications for certification under section 1 of this  
13 chapter but is awaiting the next scheduled meeting of the  
14 committee.

15 (b) A temporary certification is valid until: ~~the earliest of the~~  
16 ~~following:~~

17 (1) the results of an applicant's examination are available; **and**

18 (2) the committee makes a final decision on the applicant's  
19 request for certification.

20 (c) **The committee shall immediately revoke a temporary**  
21 **certificate under this section upon notice to the committee that the**  
22 **temporary certificate holder has failed the NCCPA examination.**  
23 **The committee may extend a temporary certificate at the**  
24 **discretion of and on the terms agreed upon by a majority vote of**  
25 **the members appointed to the committee at the committee's next**  
26 **regularly scheduled meeting.**

27 (d) A physician assistant practicing under a temporary certificate  
28 must practice with onsite physician supervision. ~~and, notwithstanding~~  
29 ~~IC 25-27.5-5-4, may not dispense drugs or medical devices.~~

30 ~~(d)~~ (e) A physician assistant who notifies the ~~board~~ **committee** in  
31 writing **and returns the individual's wallet certificate and wall**  
32 **certificate issued under this article** may elect to place the physician  
33 assistant's certification on an inactive status.

34 (f) **An individual who holds a certificate under this article and**  
35 **who practices as a physician assistant while:**

36 (1) **the individual's certification has lapsed; or**

37 (2) **the individual is on inactive status under this section;**

38 **shall be considered to be practicing without a certificate and is**  
39 **subject to discipline under IC 25-1-9.**

40 SECTION 21. IC 25-27.5-4-5 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 5. (a) A certificate  
42 issued by the committee expires on a date established by the health  
43 professions bureau under IC 25-1-5-4 in the next even-numbered year  
44 following the year in which the certificate was issued.

45 (b) An individual may renew a certificate by paying a renewal fee  
46 on or before the expiration date of the certificate.

(c) If an individual fails to pay a renewal **fee** on or before the expiration date of a certificate, the certificate becomes invalid **and must be returned to the committee.**

SECTION 22. IC 25-27.5-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 7. (a) An individual who is certified under this chapter shall notify the committee in writing **and return the individual's wallet certificate and wall certificate** when the individual retires from practice.

(b) Upon receipt of the notice, the committee shall:

(1) record the fact the individual is retired; and

(2) release the individual from further payment of renewal fees.

SECTION 23. IC 25-27.5-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) This chapter does not apply to the practice of other health care professionals set forth under IC 25-22.5-1-2(a)(1) through IC 25-22.5-1-2(a)(19).

**(b) This chapter does not allow the independent practice by a physician assistant of any of the activities of other health care professionals listed in IC 25-22.5-1-2(a)(1) through IC 25-22.5-1-2(a)(19).**

SECTION 24. IC 25-27.5-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. (a) A physician assistant must engage in a dependent practice with physician supervision. A physician assistant may perform, **under the supervision of the supervising physician,** the duties and responsibilities that are delegated by the supervising physician **and that are within the supervising physician's scope of practice, including prescribing and dispensing drugs and medical devices.** A patient may elect to be seen, examined, and treated by the supervising physician. The patient must be treated by a physician if after two (2) previous visits to the physician assistant the patient has seen no appreciable improvement in the condition for which the patient is receiving treatment.

(b) A working diagnosis made by the physician assistant must be:

(1) confirmed; and

(2) the final diagnosis made;

**by the supervising physician or physician designee under IC 25-27.5-6-1(b).**

SECTION 25. IC 25-27.5-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 4. (a) ~~The board may adopt rules under IC 4-22-2 to determine the appropriate use of prescription drugs by a physician assistant.~~ **Except as provided in subsections (b), (c), (d), and (g), a physician assistant may prescribe, dispense, and administer drugs and medical devices or services to the extent delegated by the supervising physician.**

(b) **A physician assistant may not prescribe, dispense, or administer ophthalmic devices, including glasses, contact lenses,**

1 and low vision devices.

2 (c) A physician assistant may not prescribe, administer, or  
3 monitor general anesthesia, regional block anesthesia, and deep  
4 sedation. A physician assistant may not administer light conscious  
5 sedation during diagnostic tests, surgical procedures, or obstetrical  
6 procedures unless the following conditions are met:

7 (1) A physician is physically present in the area and is  
8 immediately available to assist in the management of the  
9 patient.

10 (2) The physician assistant is qualified to rescue patients from  
11 deep sedation and is competent to manage a compromised  
12 airway and to provide adequate oxygenation and ventilation.

13 (d) A physician assistant may not prescribe drugs unless the  
14 physician assistant has successfully completed at least thirty (30)  
15 contact hours in pharmacology from an educational program that  
16 is approved by the committee and an accrediting agency.

17 (e) As permitted by the board, a physician assistant may use or  
18 dispense only drugs prescribed or approved by the supervising  
19 physician. **Prescription and administration of drugs may include:**

20 (1) all legend drugs approved by the supervising physician;  
21 and

22 (2) not more than a seven (7) day supply of scheduled  
23 substances listed under IC 35-48-2 approved by the  
24 supervising physician.

25 (e) Notwithstanding subsection (b); a physician assistant may not  
26 dispense a scheduled substance listed under IC 35-48-2.

27 (f) A physician assistant may request, receive, and sign for  
28 professional samples of drugs and may distribute professional  
29 samples of drugs to patients if the samples are within the scope of  
30 the physician assistant's prescribing privileges delegated by the  
31 supervising physician.

32 SECTION 26. IC 25-27.5-5-6 IS ADDED TO THE INDIANA  
33 CODE AS A NEW SECTION TO READ AS FOLLOWS  
34 [EFFECTIVE JULY 1, 2002]: Sec. 6. (a) Except as provided in  
35 section 4(d) of this chapter, a supervising physician may delegate  
36 authority to a physician assistant to prescribe:

37 (1) legend drugs, except as provided in IC 25-27.5-5-4(e);

38 (2) not more than a seven (7) day supply of controlled  
39 substances (as defined in IC 35-48-1-9) at one (1) time; and

40 (3) medical devices except ophthalmic devices, including  
41 glasses, contact lenses, and low vision devices.

42 (b) Any prescribing authority delegated to a physician assistant  
43 must be expressly delegated in writing by the physician assistant's  
44 supervising physician.

45 (c) A physician assistant who is delegated the authority to  
46 prescribe legend drugs or medical devices must do the following:

47 (1) Enter on each prescription form that the physician

1           assistant uses to prescribe a legend drug or medical device:

2           (A) the signature of the physician assistant;

3           (B) the initials indicating the credentials awarded to the  
4           physician assistant by the NCCPA; and

5           (C) the physician assistant's state certificate number.

6           (2) Comply with all applicable state and federal laws  
7           concerning prescriptions for legend drugs and medical  
8           devices.

9           (d) A supervising physician may delegate to a physician  
10          assistant the authority to prescribe only legend drugs and medical  
11          devices that are within the scope of practice of the licensed  
12          supervising physician or the physician designee.

13          (e) A physician assistant who is delegated the authority to  
14          prescribe controlled substances under subsection (a) must do the  
15          following:

16           (1) Obtain an Indiana controlled substance registration and  
17           a federal Drug Enforcement Administration registration.

18           (2) Enter on each prescription form that the physician  
19           assistant uses to prescribe a controlled substance:

20           (A) the signature of the physician assistant;

21           (B) the initials indicating the credentials awarded to the  
22           physician assistant by the NCCPA;

23           (C) the physician assistant's state certificate number; and

24           (D) the physician assistant's federal Drug Enforcement  
25           Administration (DEA) number.

26           (3) Comply with all applicable state and federal laws  
27           concerning prescriptions for controlled substances.

28          (f) A supervising physician may delegate to a physician assistant  
29          the authority to prescribe only controlled substances that may be  
30          prescribed within the scope of practice of the licensed supervising  
31          physician or the physician designee."

32          Renumber all SECTIONS consecutively.

(Reference is to HB 1403 as printed January 30, 2002.)

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Representative Welch